

FILED

AUG 15 2012

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :	
REVOCATION OF THE LICENSE OF :	
:	
JOAN D. BUHRMAN, R.N. :	ADMINISTRATIVE ACTION
License No. 26NO12316200 :	
:	
:	FINAL ORDER OF
:	DISCIPLINE
TO PRACTICE NURSING IN THE STATE :	
OF NEW JERSEY :	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Joan D. Buhrman ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on February 7, 2012 by the Franklin Township Police Department for Possession of Controlled Dangerous Substance or Analog, N.J.S.A. 2C:35-10(a)(1), and two (2) counts of Possession of Drug Paraphernalia, N.J.S.A. 2C:36-2, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Clayton, New Jersey, via regular and certified mail on or about February 9,

2012. A response was due within twenty (20) days. The regular mailing was not returned; the certified mailing was returned to the Board as "moved, left no address".

3. To date, Respondent has not responded to the Board's request for information concerning the February 7, 2012 arrest.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address of record constitutes a violation of N.J.A.C. 13:37-5.7.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 16, 2012, provisionally suspending respondent's nursing license, and imposing a civil penalty in the amount of \$200.00. A copy of the Order was forwarded to respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 pm on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be

modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the certified mailing was returned unclaimed, the regular mailing of the order was not returned. The Board determined that inasmuch as the mailings had been sent to respondent's address of record with the Board, service had been effected. The Board further determined that as so material discrepancies had been raised with respect to the Findings of Fact and Conclusions of Law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 15th day of August, 2012,
ORDERED that:

1. Respondent's license to practice nursing be and hereby is suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry and a valid address of record.

2. A civil penalty in the amount of \$200.00 is imposed upon Respondent. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15

days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Registered Professional Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APRN, FAAN
Patricia Murphy, PhD, APRN
President